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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEYAT 8:30 M
CLERK, U.S. DISTRICT COURT - DNJ

UNITED STATES OF AMERICA : Hon. *Georgette Castner*
: :
v. : Crim. No. *24-7*
: :
THOMAS KOHUTICH : 26 U.S.C. § 7206(1)

INFORMATION

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

COUNTS 1 and 2
(Subscribing to False Tax Returns)

At all times relevant to Counts 1 and 2 of this Information:

1. Defendant THOMAS KOHUTICH, a resident of Woodbridge, New Jersey, was employed as the sole accountant of a manufacturing company headquartered in New Jersey (the "Company"). KOHUTICH worked at the Company from in or about June 2014 until he was terminated on or about September 2, 2020. During his employment with the Company, KOHUTICH earned an annual salary of approximately \$50,000.

2. The Internal Revenue Service ("IRS"), an agency within the United States Department of Treasury, was responsible for administering and enforcing the tax laws of the United States, including the federal income tax laws.

3. From in or about 2018 through in or about September 2020, KOHUTICH embezzled hundreds of thousands of dollars from the Company. At first, KOHUTICH concealed the theft by making it appear in the Company's records that

a duty had been placed on certain imported products that were sold to existing clients. KOHUTICH then transferred the amount of that duty from the Company's bank account to his personal bank account. After the Company had been alerted about unusual deposits that were made from the Company's bank account into a personal checking account, KOHUTICH stopped depositing money from the Company's bank account into his personal account and, instead, began diverting Company funds to pay his personal credit card bills.

4. Using these methods, KOHUTICH embezzled approximately \$307,980.75 and approximately \$532,975.95 from the Company in 2018 and 2019, respectively.

5. KOHUTICH signed, filed, and caused to be filed with the IRS, United States Individual Income Tax Returns, Forms 1040, for calendar years 2018 and 2019 ("Tax Returns"), on his and his wife's behalf. The Tax Returns each bore a written declaration that the form was signed under penalties of perjury. KOHUTICH signed both Tax Returns even though he knew that they contained materially false information. Specifically, KOHUTICH failed to report the hundreds of thousands of dollars he embezzled from the Company in 2018 and 2019, which constituted his reportable income. KOHUTICH's failure to include the full amount of money he embezzled from the Company in 2018 and 2019 as part of his income on his Tax Returns for those years resulted in an additional tax due and owing to the United States of approximately \$78,709 and \$156,112 in 2018 and 2019, respectively.

6. On or about the filing dates set forth below, in the District of New Jersey and elsewhere, the defendant,

THOMAS KOHUTICH,

did knowingly and willfully make and subscribe the United States Individual Income Tax Returns, Forms 1040, for the calendar years set forth below, which he did not believe to be true and correct as to every material matter:

Count	Calendar Year	Form 1040 Filing Date	Approximate Amount of Total Income Reported
1	2018	April 3, 2019	\$59,313.00
2	2019	February 21, 2020	\$59,027.00

In violation of Title 26, United States Code, Section 7206(1).



PHILIP R. SELLINGER
United States Attorney